19 50

File No. Coop II/50
Legal Department (N)
B BRANCH

Subject:— Notifications under the Bombay Cooperative Societies Act 1925

12-20

File No. Coop II/50 (N)

Gen. 104

217-B

Legal Department.

A revised draft notification is sent herewith.

2. As section 64-E of the Act does not empower Government to impose any condition subject to which a class of farming societies shall be exempted from any of the provisions of Chapter XI, it would not be competent to add a proviso as proposed by the D.D. As, however, both the Registrar and the Director of Agriculture who form the Board under section 64-D are Government Officers, executive instruction on the lines contained in the draft proviso may be issued to them who in their capacity as the Board may get the necessary information under section 64-E of the Act through an Inquiry Officer.

s/s. 7/2 J.R.D.

Additional Secretary to Government

R. to D.D., No. 1902 dated the 8th February 1950.

1916
K.S.R.
9/6

Submitted for signature.

Addl. Secy.

MM
SC dt. 16-6-'50.

NOTIFICATION.

Development Department.

Bombay Castle, February 1950.

BOMBAY Co-operative Societies Act, 1925.

1- In exercise of the powers conferred by section 64-A of the Bombay Co-operative Societies Act, 1925 (Bom. VII of 1925), the Government of Bombay is pleased to exempt the class of farming societies specified in the Schedule appended hereto from such provisions of Chapter XI of the said Act as are specified against them in column 2 of the said Schedule.

SCHEDULE.

Class of Farming Societies.	Provisions from which exemption granted.

By order of the Governor of Bombay

D.S.Joshi,

Secretary to Government.

MI
5C dt. 16-C-'55

Local Department.

The view taken by Secretary, Development Department is correct.

2, A revised draft Order is sent herewith.

6/4. J.R.O

o/o.

Additional Secretary to Government,

U.R. to D.D. No. 829-Confl. dated the 6th April 1950.

with 7 files and a Batches of loose pps.

BM

50 dt. 16-6-50,

Development Department,

Bombay Castle, April 1950.

ORDER.

No. Whereas it was brought to the notice of the Government of Bombay that the affairs of the Saraswat Suburban Co-operative Housing Society, Limited, Santa Cruz (hereinafter referred to as the "said society") were not being conducted in the best interest of the said society;

And whereas the Registrar of Co-operative Societies and Director of Agricultural Marketing and Rural Finance was directed to inquire into the allegations of mismanagement made against the members of the Managing Committee of the said Society;

And whereas an opportunity to the members of the Managing Committee was given to show cause why all the members of the Managing Committee should not be removed;

And whereas the Government of Bombay has taken into consideration the proceedings of the inquiry held by the Registrar of Co-operative Societies and Director of Agricultural Marketing and Rural Finance and is satisfied that the members of the ~~managing committee~~ Managing Committee have acted in a manner which is irregular and improper, that the said members have been guilty of abusing their position as

such members, that the affairs of the said society are not being conducted by the said members in the interests of the said society and that sufficient grounds exist for the removal of all the members of the Managing Committee of the said society;

Now, therefor, in exercise of the powers conferred by rule 48 of the Bombay Co-operative Societies Rules, 1927, the Government of Bombay is hereby pleased —

Date to be filled in by Development Department.

(1) to remove with effect on and from..... all the members of the present Managing Committee of the said Society and to appoint in their place a new committee consisting of the persons specified below, and

(2) to direct that the members of the new committee so appointed shall hold office for a period of two years with effect on and from the aforesaid date.

By order of the Governor of Bombay.

Secretary to Government

5c dt. 15-6-'56.

Legal Department.

A revised draft Order is sent herewith.

12/6.

J.R.D.

Additional Secretary to Government.

Secy. D.D.

dt. 16-6-56.

Development Department.

Bombay Castle May 1950.

ORDER.

Bombay Co-operative Societies Act, 1925.

No. In exercise of the powers conferred by clause (c) of section 37 of the Bombay Co-operative Societies Act, 1925 (Bom. VII of 1925), the Government of Bombay is pleased to permit the following class of societies to invest upto ten percent of their Reserve Funds in the shares of the Bagalkot Cement Company, Ltd., Industrial Assurance Building, Churchgate Street, Fort, Bombay:-

Co-operative Banks or Co-operative Purchase and Sale Unions, with a share capital of Rs. 50,000 or more and which have been registered for more than ten years prior to the date on which the investment referred to is proposed to be made.

By order of the Governor of Bombay,

Secretary to Government.

MM

50 dt. 16-6-'50.

Legal Department.

The action now proposed to be taken is to remove not all members of the Managing Committee but those members of the Managing Committee who have again been elected thereon for the current term.

2. Out of the old 8 members against whom show cause notice was issued, seven have been elected again and the proposal is to remove these seven members and to appoint five members in their place. As the order will fall under clause (b) of rule 48, the latter part of sub-rule (2) of rule 48 would come into operation which provides that members appointed under clause (b) of sub-rule (1) shall hold office so long only as the members in whose place they are appointed would have held office, if the vacancies had not occurred. It is not now necessary to specify the period for which these newly appointed members would hold office.

3. The refusal might come from the 7 members who will be removed and not from the remaining member who is also a member of the new Committee. If such contingency is feared the Registrar may make an order under clause (b) of section 60 of the Act asking the 7 members individually to hand over to the new members, the failure to do which is punishable under the said section.

J.R.D. 17/7

Additional Secretary to Govt.

Secy. D.D.

Development Department.

Bombay Castle, July 1950.

ORDER

No. Whereas it was brought to the notice of the Government of Bombay that the affairs of the Saraswat Suburban Co-operative Housing Society, Limited, Santa Cruz (hereinafter referred to as the "said Society") were not conducted in the interests of the said Society the members of the managing Committee of which were the following:-

And whereas the Registrar of Co-operative Societies was directed to inquire into the allegations of mismanagement made against the said members;

And Whereas an opportunity to show cause why an order removing them should not be made was given to all the said members;

And whereas the new Managing Committee elected on the 33rd April 1950 also includes the following members :-

(hereinafter referred to as "the said seven members");

And Whereas the Government of Bombay has taken into consideration the proceedings of the inquiry held by the Registrar of Co-operative Societies and is satisfied that the said seven members have acted in a manner which is irregular and improper, that the said seven members have been guilty of abusing their position

Contd.

as such members, that the affairs of the said Society were not conducted by the said seven members in the interests of the said Society, that the said seven members are not fit persons to continue as the members of the Managing Committee of the said Society in the interest of the said Society, and that sufficient grounds exist for the removal of the said seven members;

Now, therefore in exercise of the powers conferred by rule 48 of the Bombay Co-operative Societies Rules, 1927, the Government of Bombay is hereby pleased to remove with effect on and from the 15th July 1950, the said seven members and to appoint the following five members in the place of the said seven members, namely :-

By order of the Governor of Bombay

Secretary to Government.

MM

56 dt. 16-6-'56.

Legal Department.

The proposal of the D.D. to exempt the Nagaitdar Co-operative Sugar Producers' Society (Factory) Ltd. from the provisions of section 6 is in so far as the share capital of the Society subscribed by Government is concerned only is not in order. The intention is to exempt the said Society from the provisions of section 6 of the Act in order to enable Government to subscribe Rs. 6 lakhs to the share capital of the Society which subscription exceeds more than one-fifth of the portion of the total share capital; and also to exempt Government from clause (b) of section 6 of the Act in order that Government may claim interest in the shares of the Society subscribed by it without any limit. The object can only be achieved by exempting the society from the whole of the provisions of section 6.

2. A revised draft notification is sent herewith

26/5 J.R.D

e.o.

Additional Secretary to Government.

U.R. to D.D. No. 7156 , dated the 26th May 1950.

Issued .for signature.

SC dt. 16-6-'56.

Development Department.

Bombay Castle , May 1930.

Bombay Co-operative Societies Act, 1925.

No. In exercise of the powers conferred by section 67 of the Bombay Co-operative Societies Act,1925 (Bom. VII of 1925).

the Government of Bombay is pleased to exempt the Bagaitdar Co-operative Sugar Producers' Society (Factory), Ltd., Loni, District Ahmednagar from the provisions of section 6 of the said Act

By order of the Governor of Bombay.

Secretary to Government.

MM.

SC dt. 16-6-'30.